

## JUDICIARY VACANCY FORCES CONVENTION

Both Parties Must Meet to Nominate Successor to Judge Emory A. Chase.

COST IS ABOUT \$250,000

Democratic State Committee Meets Thursday—Republicans Await Call.

The death of Judge Emory A. Chase will make it necessary for the political parties to meet in State conventions this fall to name candidates to succeed him as Associate Judge of the Court of Appeals. It is estimated that the convening of the Republican and Democratic conventions may cost those who attend the convention about \$250,000. The expense to the State will not be great.

The electoral law of last winter restoring the State convention has no provision for filling vacancies in off years and State committee officials see no other course than to call a regular State convention.

The Republican convention under the recently fixed basis will have about 1,200 delegates. The size of the Democratic convention will be determined by the State committee on Thursday, when it will issue the call for the State convention and for all the judiciary conventions.

The Republican State committee will call a special meeting to name a date and place for the State convention and to issue the call. Under the law the conventions must be held between September 30 and 27. As the Republican Judiciary conventions have already been called for September 20, it is probable the State convention will be fixed for September 24.

## COCHRANE MENTIONED AS CHASE'S SUCCESSOR

Expected to Be Choice of G. O. P. Convention.

Special Despatch to THE NEW YORK HERALD, New York, June 27.

Supreme Court Justice A. V. S. Cochrane of Hudson is mentioned as successor to the late Judge Emory A. Chase on the Court of Appeals bench. He is a Republican and is likely to be the choice of the Republican State nominating convention. Candidates for Judge Chase's successor will be named at the Republican and Democratic conventions, the time and places for which are to be announced soon.

Gov. Miller "saw the following comment to-day on Judge Chase, with whom he served on the Court of Appeals: 'Judge Chase devoted himself for many years to the laborious work of the bench. He served in all of the court and his work was characterized by great industry and high judicial ideas. He had a thorough understanding of the law, and the bench has lost one of its most useful members. I served with him for a time on the Court of Appeals and no one could serve with him without having a high regard for him as a man and the highest respect for him as a Judge. I was greatly shocked by his sudden death.'"

The Governor will attend the funeral to-morrow.

## FOUR PROSTRATIONS FROM HEAT REPORTED

Two Girls Sent Home and Two Men Go to Hospital.

Heat and humidity made a double assault on the city yesterday, and although no records were established, many a wilted collar proved that 86 degrees Fahrenheit and 53 per cent. humidity are a bad combination.

The temperature reached the top at 8:30 and then dropped a little, but the heat wave which was here all last week will continue to make trouble this week, according to the local weather prophets. Four prostrations were reported during the day. Two of these took place in the quarters of the Biddle Purchasing Company at 107 Chambers street. Edna Holmes, 25, of 26 West 139th street, and Grace Cooke, 22, of 422 Boynton avenue, employees, were the victims. They were sent home in taxicabs. Thomas Conroy, 40, of 172 West Eighty-ninth street, was overcome in front of 328 Grand street and was taken to Bellevue Hospital. The fourth victim was a man known as "Hurley," an employee of the Consolidated Gas Company. He was overcome at 27th avenue and 109th street, and taken to Harlem Hospital.

## MAN WAVING A GUN MAKES COP RETREAT

Latter Finally Seizes Weapon, Which Is Found Unloaded.

Mrs. Marie Culbos of 440 West Twenty-first street went into the West Twenty-first street police station last night and told the lieutenant that when she tried to serve her husband, Jose, with a summons for beating her, he drew a revolver and chased her from the house, threatening to kill her if she continued to annoy him.

Patrolman John Finnegan was sent to arrest Culbos, and came upon the man sitting on his stoop. Culbos ran into the hallway as soon as he saw Finnegan, and when Finnegan followed he thrust a revolver against the policeman's stomach. Finnegan backed out of the house, but as soon as he reached the street he wrenched the gun from Culbos's grasp and knocked the man unconscious with his club.

A large crowd gathered when Finnegan started to the station house with his prisoner, and many of them shouted "Lynch him!" Finnegan procured the aid of several men, however, and took Culbos to the station house, where he was charged with attempted felonious assault and violation of the Sullivan law. The revolver, the police found, was unloaded.

## RUM BAIL BOOSTED TO COVER HIS \$1,000 BILL

William McGowan, who runs the saloon at 452 Atlantic avenue, Brooklyn, was arrested by Detective Thomas Kelly and charged with having liquor in his possession. He was held by Magistrate McCloskey in the Flatbush court in \$500 bail for the Grand Jury.

Walking over to Chief Clerk James Regan McGowan drew out an imposing roll of bills. He peeled one from its associates and laid it on the desk. It was a thousand dollar bill. Regan blinked. "What's the idea?" he exclaimed. "Do you think this is a bank. Give me the right amount."

"Well, what'll I do," replied McGowan. "That's the smallest I've got."

Magistrate McCloskey solved the problem. He raised the bail to \$1,000.

TEN YEARS FOR KILLING MAN. William Stern, 24 years old, a jewelry salesman, was sentenced by Judge Talley in General Sessions yesterday to serve from ten to twenty years in State prison. He was convicted of manslaughter in the first degree for the killing of Paul Botano, a liquor dealer, in West Thirty-ninth street on October 12 last. Stern lived at 213 West 111th street.

## COOLIDGE TALKS ON BANKS AND PEOPLE

Appeals for More Sympathetic Attitude and Cooperation Between Them.

Speaking at the dinner of the annual "June party" with which the National Shawmut Bank of Boston is entertaining about 400 New England correspondents and their wives, Vice-President Calvin Coolidge last evening in the Hotel Commodore urged the preservation of the best New England traditions and appealed for "a more sympathetic attitude and cooperation between the banks and the people." There also is need of "vision" and a recognition of the interdependence of modern economic life, he added.

By reason of geographical and economic endowment, a dependent group of States, "the position of New England," the Vice-President declared, "is determined more by what they have done within the confines of their own six States."

He cited banking as "a very pertinent example of the interrelationship of our modern economic life," and continued: "There can be no permanent prosperity of any class or part. Such a condition can only be secured through general and public prosperity. This means that to secure this end there must be a general distribution of the rewards of industry. Wherever this condition is maintained there you have the foundation for an increasing production and a sound financial and economic condition."

"There is need of a more sympathetic attitude and cooperation between the banks and the people. Every such institution ought to have the necessity of serving the public to the extent of its ability. A financial institution which takes advantage of no man's necessity, which assumes no unreasonable risks for the sake of unreasonably gains, which is able to know the personality of its customers as well as the value of its collateral becomes an instrument of great value and a contribution to a marked degree of economic contentment. Such an institution is doing the work of the people."

"This condition has not yet been universally established, but it is being established. Nothing can tend more to promote it than to have the man in the shop realize that transportation and financial activities are being carried on for his benefit. That the railroad brings raw materials so that they may earn a livelihood by making them into finished products. That the bank exists in order to furnish credit from which he receives a weekly wage, while those products are being sent far away and sold to the people. While the man in the bank needs to realize that his success lies in the freight yard, in the manufacturing plant, on the farm and in the mines, as well as at the discount window. 'If all this were to be translated into a single word, I should say it was the need of vision, need of recognition of our interdependence, need of less destructive criticism and more constructive action, need of that spirit which has given character, fame and fortune to New England, whether it has guided the plough or inspired the pulpit.'"

Frederick A. Wallis, Commissioner of Immigration, Job E. Hedges and Police Commissioner Richard E. Enright also spoke. A. L. Winslow, vice-president of the Shawmut, was toastmaster.

During the day the bankers visited City Hall and their wives took a sight-seeing trip about the city, which included an inspection of Police Headquarters and a glimpse of the morning "lineup." The party will go to-day to the Westchester-Biltmore Country Club as guests of John McE. Bowman.

## MRS. FALCO TO OPPOSE GORMAN IN PRIMARIES

Wants Republican Nomination for Alderman.

Mrs. Mabel T. S. Falco, a grandniece of James G. Blaine, has announced she will be a candidate in the primaries for the Republican nomination for Alderman in the district which is coterminous with the First Assembly district, Brooklyn. She will oppose Alderman Arthur V. Gorman, who will be a candidate for renomination. During his present term he has gained publicity on several occasions through alterations with the police.

Mrs. Falco is associate executive member of the County Committee from the First Assembly district. She lives at 177 Congress street. Her father, Col. Henry D. Stanwood, was Deputy Collector of the Port of New York and served as an auditor under Presidents Hayes, Garfield, Harrison and McKinley.

## JOHN SLATER'S WIDOW FILES COURT PROTEST

Refuses to Probe Charges of Maladministration of Estate.

On the petition of Mrs. Cecelia L. Slater, life beneficiary under the will of her husband, John Slater, head of the shoe manufacturing concern of J. & J. Slater, Surrogate Cushman yesterday appointed Emory B. Buckner as referee to inquire into a protest of maladministration of the estate she makes against the Title Guaranty and Trust Company. The principal allegations refer to the sale of real estate at 850 and 920 Sixth avenue. There was no need to sell the property, Mrs. Slater alleges, adding that they were disposed of for \$47,000 and \$71,500, respectively, much less than their value.

## DRUG TRIAL CALLED OFF; SEVERAL FREE

Court Finds Law Applies Only to Persons Attempting to Sell Narcotics.

Justice John J. Freschi in Special Sessions yesterday discharged half a dozen men and women prisoners who had been charged with having in their possession contraband habit forming narcotic drugs. The Justice explained that at present, apart from the Federal statute, there is no law in this State under which such persons may be prosecuted unless the drugs found in their possession be for purposes of sale.

"During the last session of the Legislature," said Justice Freschi, "the old law under which these prisoners could have been prosecuted was repealed and a new law coinciding with the Federal statute was framed, but Gov. Miller vetoed this act. Since then the police have been making arrests under Section 126 of the Sanitary Code. But there is no power to prosecute them under that section, which applies only to persons having in their possession habit forming drugs for the purpose of sale."

At the office of Dr. Royal S. Copeland, Health Commissioner, it was said that at the time this situation arose, when the Legislature adjourned, the Commissioner of Health had issued a statement explaining the unfortunate limitation of the State's police authority in this respect, and that active steps have been taken since then to rectify it. A report on the subject has been presented to the Health Commissioner by a committee

composed of Justice Collins of the Special Sessions Court, William McAdoo, Chief City Magistrate, and Magistrate Fetherston.

To remedy the situation by drafting a new section of the Sanitary Code these officials will meet to-morrow in the office of Commissioner Copeland and will confer with him, with a representative from the office of the District Attorney and one from the Police Department, probably Dr. Carleton Simon, Special Deputy Commissioner.

## DRUG ARREST DENIED BY EX-JOCKEY FULLER

Here, Not in Chicago, on Saturday, He Points Out.

Grover Cleveland Fuller, at one time a famous jockey, yesterday called untrue a news item printed Sunday morning in THE NEW YORK HERALD saying narcotic agents had taken him into custody Saturday when they found him smoking opium in a Chicago den.

Fuller declared yesterday in the offices of his attorneys, Halligan, Henkel & Ludden, 759 Broadway, that he has not been in Chicago in three years. Friends met him on Broadway, he said, and pointed out the news item to him Sunday morning. The item, he said, was based either on misinformation or was a deliberate act of malice on the part of some one who misrepresented himself as Fuller.

An equity suit is pending in the Supreme Court in which Fuller seeks to recover \$100,000 damages from the Jockey Club for injuries received when riding a horse named Wilful at the Jamaica track on April 25, 1905. Fuller's leg was injured when he was crowded against a fence by the remainder of the field and he had to quit the track. He says he recovered only \$300 from the trust and benefit fund of the club.

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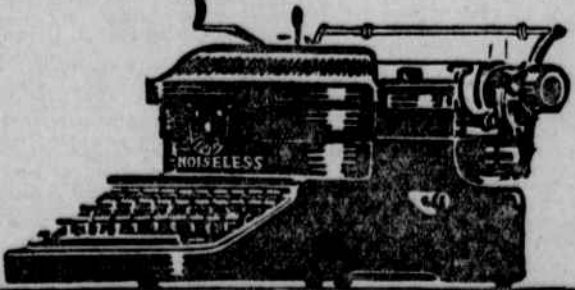
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